

MAY 24 2013

**From:** Robert Uram <RUram@sheppardmullin.com>  
**Sent:** Friday, May 24, 2013 3:49 PM  
**To:** Hatton, Scott@Waterboards; Gross, Warren@Waterboards  
**Cc:** James Rusk; Brandon M. Steets (bsteets@geosyntec.com)  
**Subject:** Comments on Tentative WDRs for Diestel Turkey Ranch, Order No. R5-2013-XXXX

Scott and Warren,

On behalf of Diestel Turkey Ranch ("Diestel"), we offer the following comments on the Tentative Waste Discharge Requirements for Diestel Turkey Ranch, Order R5-2013-XXXX. The comments are consistent with our discussions earlier today.

**1. WWTP Operation.** Provision B.1 of the Tentative WDRs limits the operation of the Waste Water Treatment Plant ("WWTP") during certain months, apparently based on the assumption that wastewater generation from the turkey processing facility will be reduced or eliminated during these months. However, full operation of the WWTP still may be needed during these months to treat captured stormwater from the processing facility footprint. Therefore, the discharge specifications for the WWTP should allow full operation year-round, as needed. Diestel suggests the following revision to Provision B.1:

1. As determined by measuring the flow at monitoring location EFF-001<sup>1</sup>, the discharge from the WWTP shall not exceed:

- I. A monthly average discharge of 50,000 gpd ~~during June through November, or~~
- II. ~~A monthly average discharge of 25,000 gpd during December, April and May, and~~
- III. A maximum daily discharge of 100,000 gpd when the WWTP is in operation.

For the same reason, Diestel suggests the following revision to Finding 17 to reflect that processing plant flows, rather than WWTP flows, are subject to seasonal reductions:

From June through November, peak processing flows from the processing plant ~~for the DAF unit and WWTP~~ are up to 50,000 gpd. These flows normally reduce to about 50 percent in December, April, and May. There is normally no flow in January, February, and March.

**2. Processing Facility Discharge Prohibition.** Provision A.4 of the Tentative WDRs prohibits the discharge of waste from the Diestel processing facility during January, February and March. Although Diestel normally does not operate the facility during those months, it would like to retain the operational flexibility to have some discharge from the processing facility during this period to allow for necessary activities such as plant cleaning, bagging operations or other limited processing operations. The other provisions of the Tentative WDRs adequately ensure that any limited operations during this time period would not result in a prohibited discharge or cause or contribute to adverse effects on water quality. Therefore, Diestel requests that Provision A.4 be deleted.

**3. Pond Liner.** Provision F.3 of the Tentative WDRs requires Diestel to submit a Design Plan by October 1, 2013, for installing a liner in the treated wastewater pond, and to begin construction of the pond improvements by Feb. 1, 2014 (after EO approval of the plan). This provision likely would require construction during the rainy season. Diestel therefore requests that the provision be revised to require submittal of a Design Plan by March 31, 2014, with construction to be performed during the subsequent dry season and completed by October 1, 2014. The revised provision would read (revised language in bold type):

"By **31 March 2014**, the Discharger shall submit a Design Plan with a time schedule for liner installation in the treated wastewater pond. The Design Plan must be prepared by or under the direct supervision of a Civil Engineer registered in California or other persons registered to practice in California pursuant to California Business and Professions Code, and approved by the Executive Officer prior to construction. The design report shall include the following: (a) details on the pond liner, (b) a construction quality assurance plan describing testing and observations needed to document construction of the liner in accordance with the design criteria, and (c) manufacture's maintenance specifications for the liner. Upon written acceptance of the Design Plan by the Executive Officer, the Discharger shall begin construction on the pond improvements to be completed by **1 October 2014**. The Discharger shall submit a post-construction report following completion of the pond liner installation."

**4. Groundwater Limitations.** For clarity, Diestel suggests that Provision E be amended to read as follows (revised language in bold type; deletion noted in brackets):

"Release of waste constituents associated with the discharge shall not cause or contribute to groundwater [subheading "a" deleted] containing constituent concentrations in excess of the concentrations specified below or in excess of natural background quality **for the specified constituents**, whichever is greater:

- a. Nitrate as nitrogen of 10 mg/L<sup>1</sup>.
- b. Electrical Conductivity of 900 umhos/cm<sup>2</sup>.
- c. Total coliform organisms equal to or greater than 2.2 MPN/100 mL over any 7-day period.
- d. For constituents identified in Title 22 **of the California Code of Regulations**, the MCLs quantified therein<sup>1,2</sup>.

Diestel appreciates the opportunity to comment on the Tentative WDRs. Please contact me if you have any questions about these comments.

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